

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 15-8026**

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ANTHONY QUENTIN KELLY,

Plaintiff - Appellant,

v.

WARDEN FRANK B. BISHOP, JR; DEPARTMENT OF PUBLIC SAFETY AND  
CORRECTIONAL SERVICES,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
Maryland, at Baltimore. Richard D. Bennett, District Judge.  
(1:15-cv-03795-RDB)

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Submitted: July 28, 2016

Decided: August 4, 2016

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Before TRAXLER and DUNCAN, Circuit Judges, and DAVIS, Senior  
Circuit Judge.

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Dismissed and remanded by unpublished per curiam opinion.

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Anthony Quentin Kelly, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anthony Quentin Kelly seeks to appeal the district court's order dismissing his complaint without prejudice. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2012), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2012); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). The order Kelly seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. See Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993). Accordingly, we dismiss the appeal for lack of jurisdiction and remand the case to the district court with instructions to allow Kelly to file an amended complaint. See Goode v. Cent. Va. Legal Aid Soc'y, Inc., 807 F.3d 619, 630 (4th Cir. 2015). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED AND REMANDED